



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Alireza Rezaie and Charles T. Esmon

Serial No.: 08/259,321

Attention: Application Branch

Filed: June 10, 1994

For: CALCIUM BINDING RECOMBINANT ANTIBODY  
AGAINST PROTEIN C

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

TRANSMITTAL OF ASSIGNMENT,  
DECLARATION/POWER OF ATTORNEY,  
VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
AND REQUEST FOR REFUND

sir:

Enclosed for filing in the application are the following:

1. A Declaration/Power of Attorney executed by Alireza Rezaie and Charles T. Esmon.
2. An Appointment of Investigator as Agent.
3. Copies of Assignments from Alireza Rezaie and Charles T. Esmon to the Howard Hughes Medical Institute dated June 14, 1994.
4. A copy of an inter-office memorandum dated March 17, 1994, regarding Assignment of Rights in Institute Inventions (with attachments).

U.S.S.N. 08/259,321  
Filed: June 10, 1994  
TRANSMITTAL LETTER

5. An Assignment by Alireza Rezaie and Charles T. Esmon to Oklahoma Medical Research Foundation.

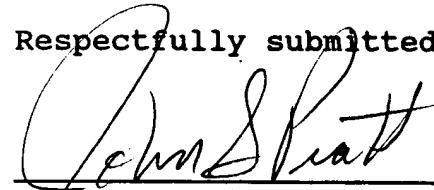
6. A Verified Statement Claiming Small Entity Status for Oklahoma Medical Research Foundation.

7. A Certificate under 37 C.F.R. §3.73(b).

Applicants request a refund of 50% of the \$710.00 filing fee, a total of \$355.00. This request is being made within two months of payment of the original full fee, pursuant to 37 C.F.R. § 1.28.

The Commissioner may apply the refund to our Deposit Order Account No. 11-0855. Checks in the amount of \$40.00 and \$65.00 are attached to cover the Assignment recordation fee and the Declaration surcharge, respectively. Please credit any overpayment or charge any other fees due in connection with this matter to our deposit account No. 11-0855. A duplicate of this letter is enclosed for accounting purposes.

Respectfully submitted,

  
John S. Pratt  
Reg. No. 29,476

Dated: August 10, 1994

KILPATRICK & CODY  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309-4530  
404/815-6367

U.S.S.N. 08/259,321  
Filed: June 10, 1994  
TRANSMITTAL LETTER

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this Transmittal of Assignment, Declaration/Power of Attorney, Verified Statement Claiming Small Entity Status and Request for Refund, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date: August 10, 1994

Angela M. Rossi  
Angela M. Rossi



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

TRANSMISSION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
---------------------	-------------	-----------------------	------------------------

08/259,321 06/10/94 REZAEI

A DMRF106CIP

03A1/0728

PATREA L. PABST  
KILPATRICK & CODY  
1100 PEACHTREE STREET  
STE. 2800  
ATLANTA, GA 30309-4530

0000

DATE MAILED:

07/28/94

NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED

SEP 06 1994

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of \$ 100 for large entities or \$ 60 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a  large entity,  small entity (verified statement filed), is \$ 100.

Applicant is given ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE of this application, WHICHEVER IS LATER, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1.  The statutory basic filing fee is:  missing  insufficient. Applicant as a  large entity  small entity, must submit \$ 100 to complete the basic filing fee.
2.  Additional claim fees of \$ \_\_\_\_\_ as a  large entity,  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
3.  The oath or declaration:
  - is missing.
  - does not cover items omitted at time of execution.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4.  The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
5.  The signature(s) to the oath or declaration is/are:  missing;  by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

6.  The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

7.  The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ \_\_\_\_\_ under 37 CFR 1.17(k), unless this fee has already been paid.
8.  A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment. (37 CFR 1.21(m)).
9.  Your filing receipt was mailed in error because your check was returned without payment.

10.  The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.

11.  Other: 090 BA 08/26/94 08259321

1 205 65.00 CK

Direct the response and any questions about this notice to, Attention: Application Processing Division, Special Processing and Correspondence Branch (703) 308-1202.

**A copy of this notice MUST be returned with the response.**

HOWARD HUGHES MEDICAL INSTITUTE

Inter-office Memorandum

TO: All Investigators

DATE: March 17, 1994

FROM: W. Maxwell Cowan, M.D., Ph.D.

RECEIVED

SUBJECT: Assignment of Rights in Institute Inventions

MAR 13 1995

RECEIVED  
GROUP 3  
GEN

The purpose of this memorandum is to inform you of the Institute's adoption of a procedure for the assignment of rights in Institute inventions from you to the Institute and from the Institute to your host institution and to explain your responsibilities under the procedure.

At the time of your appointment as an Institute investigator, you signed an agreement assigning to the Institute in advance any intellectual property rights that might arise out of the research in your Institute laboratory. The Institute, in turn, has agreed with each of its host institutions to assign Institute rights (subject to certain limited reservations of rights) to the host institution as and when inventions arise. The combined effect of these agreements is to place ultimate ownership of rights in inventions arising from Institute research in the hands of the host institution, which bears the primary responsibility for pursuing appropriate patenting and licensing activity.

In the past, the Institute has not followed a uniform practice to ensure that the successive transfers of rights from you to the Institute and from the Institute to the host institution are properly documented. We have now adopted a procedure that will effectively document these transfers with a minimum of paperwork and administrative burden.

The technology transfer process generally begins with your filing of an invention disclosure form with the appropriate technology transfer office at the host institution. That office is responsible for promptly submitting a copy of the invention disclosure to the Institute. You should, as soon after the filing of the disclosure as possible, provide the Associate General Counsel assigned to your site (see schedule enclosed) with a notarized document assigning your rights in the invention to the Institute. The Manager of Administrative Services responsible for your site can provide you with the assignment form and arrange for notarization.

As soon as is practicable after the Associate General Counsel assigned to your site receives a copy of your invention disclosure from the University and a notarized assignment of rights from you, the Institute will execute a document naming you as its agent for the purpose of assigning the Institute's rights in the invention to the host institution. You will receive the original of this document, and a copy will be sent to the appropriate technology transfer official at the host institution. You should retain this document until the patent application process begins. As you know, inventors are routinely required to execute

assignments of their rights in an invention to the host institution as part of the patent application process. When you are asked to execute the assignment in connection with filing of the patent application, you should be sure that the Institute has formally named you as the Institute's agent and you should sign the assignment to the host institution as follows: "[your signature], for [herself] [himself] and as agent for the Howard Hughes Medical Institute."

Several points should be noted with special attention. First, the triggering event for the Institute's execution of the necessary appointment as agent is the receipt by the appropriate Associate General Counsel of a copy of the invention disclosure from the University and a notarized form from you assigning the invention to the Institute. It is therefore important that these documents be provided promptly.

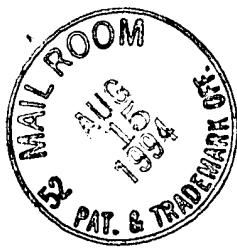
Second, although many patent applications are filed shortly after the invention disclosure is submitted, there are other cases in which a substantial period may elapse before the patent application is filed. You should therefore be sure to retain the document appointing you as the Institute's agent where it can be readily retrieved when needed.

Finally, if an invention has multiple Institute employee inventors at the University, each such inventor must provide a notarized assignment to the appropriate Associate General Counsel. Although all inventors will be required to sign an assignment to the host institution, only one of the inventors, generally the principal investigator, will be appointed as the Institute's agent for purposes of assigning the Institute's rights to the University.

I have attached for your information copies of the "Assignment of Invention" form, the "Appointment of Investigator as Agent" form, and a sample letter that will accompany the latter form. All Managers of Administrative Services will be receiving a diskette containing the Assignment of Invention form so that the MAS may easily print one out for you when needed. If you have any questions about this procedure or your role in it, please contact the Associate General Counsel assigned to your site. The Associates General Counsel will be providing information to the responsible technology transfer officials at the host institutions so that they will be familiar with the new procedure.

#### Attachments

cc: Dr. Purnell W. Choppin  
Dr. James R. Gavin, III  
Dr. Donald H. Harter  
Dr. David W. Kingsbury  
Dr. Claire H. Winestock



1814

3/8/95

1814

CERTIFICATE UNDER 37 CFR § 1.73(b) (2)

SIR 13 310

Applicant: Alireza Rezaie, et al.

95 MAR 13 PM 2:20

Wat

Application No.: 08/259,321 Filed: June 10, 1994For: CALCIUM BINDING RECOMBINANT ANTIBODY AGAINST PROTEIN C

REC'D

Oklahoma Medical Research Foundation, a Corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

MAR 13 1995

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- A.  An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. Original Assignment attached.

OR

- B.  A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplement sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : August 5, 1994

Name : William G. Thurman, M.D.

Title : President

Signature : William G. Thurman, M.D.